

FILED & ENTERED

MAR 04 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY **fisherl** DEPUTY CLERK

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FERNANDO VALLEY DIVISION**

In re:

Mr. Tortilla, Inc.,

Debtor.

Case No.: 1:24-bk-10228-VK

Chapter 11

**AMENDED ORDER SETTING HEARING ON
STATUS OF CHAPTER 11 CASE AND
REQUIRING REPORT ON STATUS OF
CHAPTER 11 CASE**

Date: April 11, 2024

Time: 1:00 p.m.

Place: Courtroom 301

21041 Burbank Blvd.
Woodland Hills, CA 91367

1 PLEASE TAKE NOTICE that pursuant to 11 U.S.C. § 105(d), the Court will conduct a
2 status conference in the above captioned case at the place and time set forth above, which status
3 conference may be continued from time to time, without further notice. The purpose of the
4 conference is to further the expeditious and economical resolution of this case.

5 CERTAIN PARTIES ARE REQUIRED TO ATTEND, AS SET FORTH BELOW. ALL
6 INTERESTED PARTIES ARE INVITED TO ATTEND, BUT NEED NOT DO SO.

7 PLEASE TAKE FURTHER NOTICE that, based upon the Court's records and evidence
8 presented at the conference, the Court may take any of the following actions at the conference
9 (or at any continued conference) without further notice:

- 10 1. Dismiss the case;
- 11 2. Convert the case to one under another chapter;
- 12 3. Order the appointment of a chapter 11 trustee;
- 13 4. Set deadlines for filing of a proposed plan and disclosure statement by the debtor
14 or any other interested party;
- 15 5. Fix the scope, format and service of the notices to be provided regarding the
16 various matters to be considered in this case;
- 17 6. Provide that the hearing on approval of the disclosure statement may be combined
18 with the hearing on confirmation of the plan;
- 19 7. Set a deadline for confirming a plan;
- 20 8. Set deadlines for compliance with reporting and other chapter 11 debtor in
21 possession requirements;
- 22 9. Set deadlines for filing proofs of claim, objections to claims and/or requests for
23 payment of administrative expenses;
- 24 10. Set deadlines for assuming, assuming and assigning or rejecting executory
25 contracts and unexpired leases;
- 26 11. Adopt special procedures for managing adversary proceedings, contested matters
27 and such other matters as may aid in the process of this case; and/or
- 28 12. Refer matters to mediation.

1 PLEASE TAKE FURTHER NOTICE that, whether the debtor files its schedules and
2 statements using the 100 series (for individual debtors) or the 200 series (for non-individual
3 debtors), the forms are mandatory and must be executed under penalty of perjury. Any
4 disclaimers, reservations, caveats, general notes or exceptions that debtors or their counsel may
5 append to or include in such forms are ineffective to alter the duty of care or the level of detail
6 required in connection with the preparation of these forms and do not create or preserve any
7 rights that would not otherwise have existed in the absence of such language.

8 IT IS HEREBY ORDERED that the debtor's counsel must be present at the status
9 conference; so should counsel for the official committee of unsecured creditors (if a committee
10 has been appointed) and counsel for the United States Trustee. Any other interested parties may
11 also appear and address the items described above.

12 IT IS FURTHER ORDERED that **at least fourteen (14) days before the status**
13 **conference**, the debtor must: (a) file with the Court a Case Status Conference Report **and**
14 **(b) serve the Case Status Conference Report on the United States Trustee, all secured**
15 **creditors, the official committee of unsecured creditors and its counsel (or on the twenty**
16 **largest unsecured creditors if no committee has been appointed), and all other official**
17 **committees.** Unless the Court orders otherwise upon request, the debtor must use the forms of
18 bar date order and notice posted on the Court's website, located at www.cacb.uscourts.gov,
19 under "Local Rule Forms," F 3003-1.ORDER.BARDATE and F 3003-1.NOTICE.BARDATE.

20 IT IS FURTHER ORDERED that "Judge's Copies" must be served on Judge Kaufman
21 pursuant to Local Bankruptcy Rule 5005-2(d) and section 2-02 of the Central Guide. The
22 debtors must timely serve "Judge's Copies" in accordance with Judge Kaufman's procedures as
23 set forth on the website for the United States Bankruptcy Court, Central District of California at
24 <https://www.cacb.uscourts.gov>.

25 IT IS FURTHER ORDERED that the Case Status Conference Report **MUST BE**
26 **SUPPORTED BY EVIDENCE** in the form of declarations and supporting documents and
27 should include the following:
28

1. A brief description of the debtor's business, if any, and the principal assets and liabilities of the estate;
2. A brief description of the events that led up to and caused the filing of this case;
3. A brief answer to each of these questions:
 - a. is the debtor in full compliance with 11 U.S.C. § 521, § 1107 and, if this is a small business case, § 1116, Rule 1007 of the Federal Rules of Bankruptcy Procedure, and all applicable guidelines established by the United States Trustee;
 - b. is the debtor using cash that any party claims as its cash collateral and, if so, on what date(s) did the debtor obtain an order authorizing the use of such cash or the consent of such party;
 - c. is the debtor a small business debtor as that term is defined in 11 U.S.C. § 101(51D);
 - d. does this case qualify as a single asset real estate case as that term is defined in 11 U.S.C. § 101(51B);
 - e. what are the principal business, financial and legal disputes or problems to be resolved in this case;
 - f. when does the debtor anticipate resolving them; and
 - g. what is the best method to resolve those disputes or problems expeditiously and cost-effectively.
4. Identification of all professionals retained by or intended to be retained by the estate, the dates on which applications for the employment of such professionals were filed or submitted to the United States Trustee, the date on which orders were entered in response to such applications, if any, and a general description of the types of services to be rendered by each or the purpose of the employment;
5. Evidence regarding the debtor's actual income, expenses and cash flow for the last six months preceding the filing of this case on a month by month basis;

- 1 6. Provide a budget of the debtor's projected income, expenses and cash flow for the
- 2 first six months of this case on a month by month basis;
- 3 7. Discuss any significant unexpired leases and executory contracts to which the
- 4 debtor is a party and the debtor's intentions with regard to these leases and
- 5 contracts; and
- 6 8. Proposed deadlines for filing:
 - 7 a. proofs of claim; and
 - 8 b. plan of reorganization (or liquidation) and disclosure statement.

9 IT IS FURTHER ORDERED that, **no later than one week preceding the date of the**
10 **status conference**, the debtor must file with the Court a proof of service regarding the Case
11 Status Conference Report.

12 IT IS FURTHER ORDERED that, pursuant to 11 U.S.C. § 521(f), the debtor must file
13 with the Court: (1) at the same time filed with the taxing authority, a copy of each Federal
14 income tax return required under applicable law (or at the election of the debtor, a transcript of
15 such return) with respect to each tax year of the debtor ending while this case is pending under
16 chapter 11; (2) at the same time filed with the taxing authority, each Federal income tax return
17 required under applicable law (or at the election of the debtor, a transcript of such return) that
18 had not been filed with such authority as of the date of the commencement of this case and that
19 was subsequently filed for any tax year of the debtor(s) ending in the 3-year period ending on the
20 date of the commencement of this case; and (3) at the same time filed with the taxing authority, a
21 copy of each amendment to any Federal income tax return or transcript filed with the Court
22 pursuant to this Order.

23 IT IS FURTHER ORDERED that, Judge Kaufman has resumed in-person hearings.
24 However, parties in interest (and their counsel) may continue to participate in most hearings
25 remotely using ZoomGov audio and video.

26 **MEMBERS OF THE PUBLIC AND THE PRESS MAY ONLY CONNECT TO THE**
27 **ZOOM AUDIO FEED, AND ONLY BY TELEPHONE. ACCESS TO THE VIDEO FEED BY**
28 **THESE INDIVIDUALS IS PROHIBITED. IN THE CASE OF A TRIAL OR EVIDENTIARY**

**HEARING, NO AUDIO ACCESS WILL BE PROVIDED. HOWEVER, MEMBERS OF THE
PUBLIC AND THE PRESS MAY OBSERVE SUCH PROCEEDINGS IN PERSON.**

The following instructions will apply to the ZoomGov hearing:

Meeting Information: **April 11, 2024**

Meeting URL: <https://cacb.zoomgov.com/j/1618827346>

Meeting ID: 161 882 7346

Password: 801195


Join by Telephone: 1-669-254-5252 or 1-646-828-7666

(1) The audio portion of each hearing will be recorded electronically by the Court and
constitute its official record.

(2) All persons (other than Court staff creating the official record of the hearing) are strictly
prohibited from making any audio or video recording of the proceedings.

###

Date: March 4, 2024


Victoria S. Kaufman
United States Bankruptcy Judge